

liam Lingan Gaither, Francis C. Clopper, of Montgomery county; Daniel Weisel, James Wason, and Elias Davis, of Washington county, be, and are hereby appointed commissioners, under the direction of a majority of whom subscriptions may be received to the capital stock of the Metropolitan rail road company hereby incorporated; and they or a majority of them, may cause books to be opened at such times and places as they may direct, for the purpose of receiving subscriptions to the capital stock of said company, to which any person, corporation or association of individuals may subscribe, after giving such notice of the times and places of opening the same as they may deem proper; and that upon the first opening of said books, they shall be kept open for at least ten successive days, from ten o'clock A. M. until two o'clock P. M., and if at the expiration of that period, such a subscription to the capital stock of said company, as is necessary to its incorporation, shall not have been obtained, the said commissioners or a majority of them, may cause the said books to be opened from time to time, after the expiration of the said ten days for the space of twelve months thereafter, or until the sum necessary to the incorporation of the company shall be subscribed, if sooner subscribed, and if any of the said commissioners shall die, resign, or refuse to act during the continuance of the duties devolved upon them by this act another may be appointed in his stead by the remaining commissioners, or a majority of them.

Capital stock. SEC. 2. *And be it enacted*, That the capital stock of said Metropolitan rail road company, shall be two millions dollars, in shares of fifty dollars each; and as soon as ten thousand shares of said capital stock shall be subscribed, the subscribers of said stock, their successors and assigns, shall be, and they are hereby declared to be incorporated into a company by the name of the Metropolitan rail road company, and by that name shall be capable in law of purchasing, holding, selling, leasing, and conveying estates, real, personal, and mixed, so far as shall be necessary for the purposes hereinafter mentioned, and no further, and shall have perpetual succession, and by said corporate name may sue and be sued, and may have and use a common seal, which they shall have power to alter and renew at their pleasure, and shall have enjoy, and may exercise all the powers, rights and privileges which other corporate bodies may lawfully do for the purposes mentioned in this act.